

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2782 OF 2019

Hemant Kumar Sharma

Applicant

versus

The State of Maharashtra

Respondent

Mr.V.G.Bhadragoudar for applicant.

Smt.A.A.Takalkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 18th December 2019

PC :

1. This is an application for anticipatory bail in CR No.169 of 2019 registered with Koregaon Park Police Station, Pune for offences under Sections 407, 408, 468, 471, 420 r/w 34 of IPC.

2. The prosecution case is that the co-accused Pranay Benit conspired with accused Ajit Pradhan and the applicant in disposing off Wiremesh Packaging Equipments. The co-accused Pranay Benit was working as Logistic Executive in complainant's company. He prepared bogus delivery challans and in collusion with Ajit Pradhan and applicant had disposed off the goods.

3. Learned counsel for applicant submitted that the applicant has no role to play in the crime. He was not party to the conspiracy. He was not concerned with the complainant's company. The only role assigned to the applicant is transporting the stolen goods. The applicant had no knowledge of the fact that the goods were stolen.

4. Learned APP submitted that there is evidence to show the complicity of applicant in crime. She submitted the investigation papers to point out the investigation conducted by police. It is submitted that interrogation of the co-accused who were arrested had revealed involvement of applicant.

5. I have perused the FIR and order passed by Sessions Court rejecting application for anticipatory bail. The investigation has revealed that the applicant was acting in connivance with the co-accused. The co-accused who were arrested did not disclose the place where the material was sold by the applicant. It is revealed that the applicant was transporting the goods and the same were being sold in the marked and the amount was being distributed amongst the accused. Thus, prima facie involvement of the applicant has been established. Hence, no case for grant of anticipatory bail is made out. The ABA is rejected.

(PRAKASH D. NAIK, J.)

MST